

## HUMAN RIGHTS ATROCITIES IN ACEH, INDONESIA

In 1993 Amnesty International published the following report on Aceh, entitled *Indonesia: Shock Therapy: Restoring Order in Aceh*, July 1993, AI Index ASA 21/07/93. At the time the report was released, Amnesty International and other international human rights observers were denied access to Aceh to conduct human rights monitoring. For its reporting on Aceh, Amnesty International therefore relied on evidence obtained by human rights monitors on the ground.

The report was published in both English and Bahasa Indonesia and was widely publicised internationally but media censorship in Indonesia at the time meant that domestic coverage of Amnesty International's report was not possible. Copies of the report were also sent to Indonesian government representatives, along with the representatives of other governments around the world. While recognising that restrictions placed by the military on access to Aceh may have resulted in some minor inaccuracies in the report, recent revelations about Aceh have shown that the nature and extent of violations reported by Amnesty International and other human rights monitors during the early 1990s was largely correct.

In the 1993 report, Amnesty International documented the "disappearance", extrajudicial killing, arbitrary arrest and torture of two thousand Acehnese between 1989 and 1993 when the Indonesian military's counter-insurgency operations against the armed opposition group, *Aceh Merdeka* - the Free Aceh Movement - was at its height. The victims of the violations were suspected of being members or supporters of *Aceh Merdeka*, which supports independence for the region. However, Amnesty International believes that many of the victims, including women and children, had no links to *Aceh Merdeka* and had no involvement in violent activities.

Five years later, the whereabouts of many of those who "disappeared" remains unknown and there have been no investigations into any of the unlawful killings. Some seven Acehnese prisoners of conscience remain in prison, along with dozens of political prisoners convicted after unfair political trials.

While the intensity of the counter-insurgency operations declined after 1993, Aceh remained a special military operational area until August 1998. The high numbers of military in the area contributed to an on-going atmosphere of fear. Access to the area by international and domestic human rights organizations, humanitarian organizations, independent observers and the media continued to be severely restricted while domestic non-governmental organizations operating in Aceh were subjected to harassment and intimidation.

Despite the restrictive conditions Amnesty International continued to receive credible reports of human rights violations from Aceh including "disappearances", unlawful killings, arbitrary arrests, torture and unfair political trials. In 1997, dozens of people were arrested for their alleged role in *Aceh Merdeka* activities, including a bank robbery. Twenty people were ultimately brought to trial, several after they had been forced to sign confessions under torture in military detention. Eight of these men were released as a result of the Presidential Decree announced on 17 August 1998.

Indonesia's new President, BJ Habibie, has come to power with an agenda for "reform", including steps to address the country's poor human rights record. As a part of this agenda, the

government has stated its commitment to investigating human rights violations. In July and August 1998, an Indonesian national parliamentary fact-finding team conducted an investigation into human rights violations in Aceh. In the course of this investigation statements were taken from those previously detained and tortured, from family members of those who have been “disappeared” or killed and from non-governmental organizations who attempted to monitor the violations amidst a climate of fear and intimidation. The outpouring of information contained disturbing news of more recent violations including the disappearance of 34 people in Pidie between January and May 1998. Amnesty International is gravely concerned for the safety of the 34 people who eyewitnesses and family members claim were arrested by members of a unit from Kopassus. There have also been threats and intimidation against family members of the “disappeared”.

In response to the parliamentary fact-finding team’s visit the Commander of the Indonesian Armed Forces, General Wiranto, travelled to Aceh to apologize on behalf of the Armed Forces for the violations committed during the military’s counter-insurgency activities. He also announced the withdrawal of combat troops - although not regular, territorial troops - from the area. These make up around half of the 12,000 troops currently positioned in Aceh. On 20 August, 250 troops were withdrawn and a further 729 are expected to be withdrawn at the end of the month. Indonesia’s National Commission on Human Rights (Komnas HAM) is also conducting on-site investigations in Aceh, in particular the excavation of mass graves of individuals believed to have been executed by the military. The National Commission has already confirmed that human rights violations took place in Aceh.

Amnesty International is encouraged by recent developments in Aceh, including the announcement by General Wiranto that Aceh’s status as special military area has been ended and that troops will be withdrawn. Amnesty International also welcomes the visit of the parliamentary fact-finding team to Aceh and hopes that its findings will be made public and will result in full and impartial investigations of all the violations which have taken place in Aceh. The current investigation by Komnas HAM into human rights violations in Aceh is also a positive move. In Amnesty International’s view these initiatives constitute a welcome contribution to the process of truth, reconciliation and justice which are required to rebuild Aceh.

While acknowledging the enormity of the task ahead, Amnesty International considers this process to be essential for the credibility of the new Indonesian Government and the military authorities. The people of Aceh themselves must also be satisfied that the truth emerges and that those responsible for past violations are brought to justice.

In order to satisfactorily complete such a process Amnesty International recommends that:

- an independent commission of inquiry is established specifically to investigate reports of human rights violations in Aceh including those contained in Amnesty International's 1998 report;
- those found to be responsible are brought to justice in civilian courts in trials which meet international standards for fair trial;
- the victims and the families of victims receive compensation;
- all remaining prisoners of conscience are released and the convictions of all political prisoners are immediately reviewed by an independent body.

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